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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,
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12 Plaintiff,
13 v.
14 EMMANUEL ANGULO-SERNA,
15 Defendant.
16
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Case No. 16-cr-1729-BAS


**JUDGMENT AND ORDER
GRANTING GOVERNMENT'S
MOTION TO DISMISS
INDICTMENT**

[ECF No. 19]

18 Presently before the Court is the United States of America's motion to dismiss
19 the indictment. The Government indicates that Defendant Emmanuel Angulo-Serna
20 died while in custody. Having provided an adequate factual basis justifying dismissal,
21 the Court **GRANTS** the Government's motion and **DISMISSES WITHOUT**
22 **PREJUDICE** the indictment against Emmanuel Angulo-Serna. *See* Fed. R. Crim. P.
23 48(a); *United States v. Olmos-Gonzales*, 993 F. Supp. 2d 1234, 1235 (S.D. Cal. 2014)
24 (Moskowitz, C.J.).

25 **IT IS SO ORDERED.**

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27 **DATED: December 7, 2016**
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Hon. Cynthia Bashant
United States District Judge